

REMARKS

The following remarks are responsive to the Advisory Action mailed March 16, 2010 ("Action"). Reconsideration and allowance are respectfully requested for at least the following reasons.

Claim Rejections Under 35 U.S.C. § 103

Claims 1-4 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicants' allegedly admitted prior art (AAPA) in view of Sachs et al. (US 2006/0154603), Bhagavath et al. (US 6,163,810), and Chuah et al. (US 6,515,994).

Claims 17 and 23-25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA, Sachs, and Bhagavath.

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA, Sachs, Bhagavath, and Chang et al. (US 6,963,972).

Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA, Sachs, Bhagavath, and Peterka et al. (US 2002/0174366).

Claims 9, 11, 14, and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA, Chuah, and Bhagavath.

Claim 12 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA, Chuah, Bhagavath, and Chang.

Claim 13 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA, Chuah, Bhagavath, and Peterka.

Claim 19 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA, Chuah, Bhagavath, and Deng et al. (US 6,208,647).

Claim 20 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA, Sachs, Bhagavath, and Deng.

Claim 21 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA, Chuah, Bhagavath, and Virgile et al. (US 6,539,022).

Claim 22 stands rejected under 35 U.S.C. § 103Z(a) as being unpatentable over AAPA, Sachs, Bhagavath, and Virgile.

Applicants respectfully traverse.

Upon entry of the amendment filed March 4, 2010, claims 1 and 9 have been amended to include the features previously recited in claims 21 and 22, that is, the allocation of bandwidth to

the receiver hosts and the sharing of the allocated bandwidth between hosts/apparatuses in the group. Corresponding amendments were made to claims 17 and 23. This paper does not include any further claims amendments, but submits the following comments in response to the Advisory Action.

The Advisory Action identified three different passages from Virgile as purportedly disclosing sharing of bandwidth between group members and an increase in data rate experienced by the group members. *See* Advisory Action, p. 2. Each of these passages will be considered below in turn. None of these passages of Virgile, however, disclose or suggest sharing of bandwidth between multicast group members to increase a data rate experienced by the members.

First, the Advisory Action asserts that column 6, line 1 onwards of Virgile discloses sharing of allocated bandwidth. *See* Advisory Action, p. 2. This is not the case. The cited lines disclose a method of conserving bandwidth by limiting the transmission of multicast messages to only those segments of a network that include multicast group members. This interpretation is supported by the following paragraph, column 6, lines 15 to 24, which refers to the prevention of “flooding all attached network segments” and the avoidance of interference “with the network segments that do not contain any hosts that belong to the multicast group.” In summary, column 6, lines 1 to 24 of Virgile does not disclose the sharing of bandwidth allocated to members of the multicast group as recited by the present independent claims.

Second, the Advisory Action asserts that column 5, lines 23 onwards of Virgile discloses members of a multicast group experiencing an increase of a data transfer rate. *See* Advisory Action, p. 2. This is not the case. Contrary to the Advisory Action’s assertion, column 5, lines 23 to 65 of Virgile merely disclose a network device and method that determine whether a received packet is destined for another device, identify a multicast group from the received packet, and update multicast forwarding data according to the identified multicast group. Absent is any discussion of sharing bandwidth allocated to members of the multicast group to increase a data transfer rate.

Finally, the Advisory Action contends that the passage of column 5, lines 23 onwards of Virgile discloses an increase of a data transfer rate experienced by the members of the multicast group by conserving bandwidth and avoiding performance degradation. *See* Advisory Action, p. 2. The cited lines of Virgile merely result in the conservation of bandwidth in the network

segments that do not include multicast group members. The network segments that include the multicast group members continue to transmit the multicast messages.

Therefore, the cited passages of Virgile do not disclose an apparatus or method having any effect on the bandwidth in the network segments that do include multicast group members. Accordingly, the passages cited in the Advisory Action fail to disclose the sharing of bandwidth allocated to hosts in a multicast group and a resulting increase in data transfer rate experienced by those hosts. Applicants respectfully submit that the cited references do not disclose the aspects of the independent claims, and request withdrawal of the rejection under 35 U.S.C. § 103.

The remaining claims are allowable at least by way of dependency on claim 1, 9, 17 or 23.

CONCLUSION

Applicants respectfully submit that the pending claims are in condition for allowance. Favorable reconsideration of this application is respectfully requested. The Examiner is invited to contact the undersigned should it be deemed necessary to facilitate prosecution of the application.

Respectfully submitted,
BANNER & WITCOFF, LTD.

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By: /Christopher M. Swickhamer/
Christopher M. Swickhamer
Registration No. 59,853
BANNER & WITCOFF, LTD.
10 South Wacker Drive, Suite 3000
Chicago, IL 60606
Telephone: 312-463-5000
Facsimile: 312-463-5001